S.B. Criminal Misc. Bail Application No.2793/2006
Date : 17.07.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. P.N. Mohanani for the applicants.
Mr. V. R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that no case under Section 308 IPC is made out. He submits that no investigation is to be made from the accused-applicants and they are in jail, therefore, during trial, they may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to

enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicants (1) Bhair (Bheru) son of Mangoo and (2) Madan son of Mona shall be released on bail in CR No.87/2006 P.S. Hamirgarh, provided each of them executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.